

MINUTES OF THE PLANNING COMMISSION MEETING HELD MARCH 15, 2017 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1 ROLL CALL

Commissioners: Garnet Boyd
Mary Jo Abbott
Jack Lindsay

Administration: Ryan Nickel
Robert Zilke
Brenda Rosset

2. ADOPTION OF AGENDA

2017-017

Lindsay-Abbott

That the Agenda for the regular meeting of the Planning Commission to be held March 15, 2017 be adopted as presented.

CARRIED 3/0

3. CONFIRMATION OF MINUTES

2017-018

Abbott-Lindsay

That the minutes of the regular meeting of the Planning Commission held on February 1, 2016 be adopted as presented.

CARRIED 3/0

**4.0 PUBLIC HEARING
VARIANCE**

1430 1st Street North
OWNER: Lee Choy Ltd.
APPLICANT: Arlene Johnston

Community Planner Mr. Zilke introduced the application as presented in the City of Brandon Planning report.

The applicant, Arlene Johnston is applying for a variance to increase the intensity of a lawfully non-conforming mobile home park use in the Commercial Arterial (CAR) Zone. Approval of this application will allow for the addition of three mobile homes at 1430 1st Street North.

2017-019

Abbott-Lindsay

That the Public Hearing for Variance Application V-02-17-B at 1430 1st Street North be concluded.

CARRIED 3/0

2017-020

Abbott-Boyd

That Variance Application V-02-17-B to expand a non-conforming use in the Commercial Arterial (CAR) Zone at 1430 1st Street North (Lots A, Block 2, Plan 45700 BLTO) be approved subject to the owner or successor executing a development agreement with the City of Brandon subject to the following supplementary conditions:

- a) That the agreement be specific to the site plan submitted for the construction of three (3) mobile home units and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement.
- b) That no permanent and/or accessory structures will be located or constructed on the site. Such structures will include, however not be limited too, sheds, garages and additions. Further, by execution of this development agreement, the owner or successor undertakes to disclose the aforementioned to all potential mobile homeowners prior to entering into any legal agreement in which would bind ownership and/or rental agreement. Should an application for a building permit for any type of structure be made to Development Services, such application would not be accepted nor issued to the applicant.
- c) That all garbage pick up for the development will be along Glen Avenue as the City of Brandon Sanitation Department will not enter the site as the site design does not meet the minimum standard for a cul-de-sac turnaround as per City of Brandon specifications. All residents of the development will be required to bring their garbage bins out to the approved location and remove the bins from the right-of-way on the designated garbage day for the development. Further, the developer will be required to install a "No Parking" sign along the south side of Glen Avenue approximately 30 feet west of the approach to accommodate for the locating of all garbage bins.
- e) That by executing this development agreement, the owner or successor assumes all liability and risk should a fire or emergency arise within the development and emergency services is unable to access the site by way of the proposed access off Glen Avenue as per the General Operating Guideline (GOG 107.10 Tactical Guideline) in which states emergency vehicles should not be placed or operate in a back lane.
- f) To construct barrier curb bordering the internal roadway as per the accepted for construction site plan. Such barrier curb is required as access onto the Manitoba Hydro utility right-of-way located at the southerly end of the internal roadway is strictly prohibited.
- g) To design and construct the northerly approach proposed at Glen Avenue. Such work shall conform to the latest edition of the City of Brandon, Standard Construction

Specifications, the work shall be completed by a bonded contractor with the City of Brandon and the work shall be at the sole cost of the owner or successor;

h) That should any hydro poles, light standards or trees located in the City boulevard be relocated or removed at the time of site servicing, the responsibility and cost of same will be solely borne by the developer and as such, all restoration to the City boulevard resulting from the work shall conform to the latest edition of the City of Brandon, Standard Construction Specifications.

CARRIED AS AMENDED 2/1

AMENDMENT

2017-021

Abbott-Boyd

That the above motion be amended to adding the following as condition i):

“ i)That the approval of this variance is granted as a long-term temporary measure and as such, will expire 30 years from the date as executed on the Variance Order granting approval by the Planning Commission. Upon expiry of the variance, the use of mobile homes in the Commercial Arterial Zone will no longer be permitted under the Zoning By-Law and therefore, the owner or successor will be required to remove the three (3) mobile homes located upon 1430 – 1st Street. Further, by execution of this development agreement, the owner or successor undertakes to disclose the aforementioned to all potential mobile homeowners prior to entering into any legal agreement in which would bind ownership and/or rental agreement. By failing to disclose such terms to all potential mobile homeowners, the owner or successor would be considered to be in default of this development agreement thereby rendering the variance approval void”.

CARRIED 2/1

Prior to the above motion being voted on commissioners provided the following comments:

- the intent of the CAR zone is for commercial uses and further establishing a non-conforming mobile home park will negatively impact the transition of the site to commercial uses.
- Services (fire, solid waste removal) will be reduced to existing mobile home owners.

b. CONDITIONAL USE

1323-8th Street

Owner: Matthew David Bootsman & William Douglas Bootsman

Applicant: Westman Premier Homes

Community Planner Mr. Zilke introduced the application as presented in the City of Brandon Planning report.

The applicant, Westman Premier Homes, on behalf of the property owners, Matthew David Bootsman and William Douglas Bootsman, is applying to allow for special needs housing for six (6) residents for a property located at 1323-8th Street in the Residential Low Density (RLD) Zone.

2017-022 Lindsay-Abbott
That the Public Hearing for Conditional Use Application C-02-1-B at 1323-8th Street be concluded.

CARRIED 3/0

2017-023 Lindsay-Abbott
That Conditional Use Application C-02-17-B to allow special needs housing for up to six residents in the RLD zone be approved at 1323-8th Street (Lots 26/28, Block 15, Plan 7 BLTO) in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and the attached site plan "Attachment B-2" subject to the owner or successor, prior to issuance of a building permit, submitting a site plan identifying the on-site parking area as hardsurfaced.

CARRIED 3/0

Prior to the above motion being voted on commissioners provided the following supporting comments:

- the use is appropriate for the neighbourhood
- hardsurfaced parking is easily maintained and wheelchair accessibility improved

5.0 GENERAL BUSINESS

- Tracking Table**
Mr. Nickel spoke about upcoming applications.
- Administrative Business**
- Absences From Upcoming Meetings**

6.0 ADJOURNMENT

2017-024 Lindsay-Abbott
That the meeting does now adjourn. (8:25 p.m.)

CARRIED 3/0

Original Signed by Ryan Nickel
Ryan Nickel
Principal Planner

Original Signed by Garnet Boyd
Garnet Boyd
Chairperson